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8 Attorneys for Plaintiffs DAREN HEATHERLY  
9 and DISABILITY RIGHTS ENFORCEMENT,  
10 EDUCATION, SERVICES: HELPING YOU  
11 HELP OTHERS

12 DAREN HEATHERLY, an individual; and ) CASE NO. C 07-2656 JL  
13 DISABILITY RIGHTS, ENFORCEMENT, )  
14 EDUCATION, SERVICES:HELPING YOU )  
15 HELP OTHERS, a California public benefit )  
16 corporation, )  
17 Plaintiffs,

18 v. )  
19 TAQUERIA SEBASTOPOL; TALMADGE )  
20 WOOD, trustee of the Talmadge Wood )  
21 Trust; EVANGELINA CORONEL and )  
22 SAMUEL CORONEL ROBLES, a married )  
23 partnership dba TAQUERIA )  
24 SEBASTOPOL,

25 Defendants.

26 Plaintiffs DAREN HEATHERLY and DISABILITY RIGHTS ENFORCEMENT,  
27 EDUCATION SERVICES hereby submit this Ex Parte Request to Continue the Case  
28 Management Conference currently scheduled for June 11, 2008, and for the following reasons:

1. Since the filing of the complaint, plaintiffs have obtained a default against one  
2. defendant, Evangelina Coronel in this matter.
2. Plaintiffs have also discovered that the named trustee of defendant Talmadge  
3. Wood Trust is deceased.
3. Plaintiffs have not received any communication from any defendants in this  
matter. No responsive pleading has been filed.

FILED  
JUN 10 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

1 4. It is Plaintiffs intention to pursue a default judgment against Evangelina Coronel  
2 if no timely responsive pleading is filed.  
3 5. In light of these facts and defendant's failure to participate in the litigation of this  
4 matter thus far, Plaintiffs wish to preserve the courts resources by avoiding an  
5 unproductive Case Management Conference.

6 For the aforementioned reasons, Plaintiffs respectfully request that the Case Management  
7 Conference currently on calender for June 11, 2008, be vacated and continued for (90) days.  
8

9 DATED: June 9, 2008

10 THOMAS E. FRANKOVICH  
*A PROFESSIONAL LAW CORPORATION*

11 By: \_\_\_\_\_ /s/  
12 Thomas E. Frankovich  
13 Attorneys for Plaintiffs DAREN HBATHERLY  
14 and DISABILITY RIGHTS ENFORCEMENT,  
15 EDUCATION SERVICES:HELPING YOU HELP  
16 OTHERS

17 **ORDER**

18 The Case Management Conference currently on calender for June 11, 2008, is  
19 VACATED and CONTINUED for 90 days to OCTOBER 1, 2008, *at 10:30 a.m.*  
20 IT IS SO ORDERED.

21 Dated: 6-10, 2008

22   
23 Hon. James Larson  
24 UNITED STATES MAGISTRATE JUDGE  
25  
26  
27  
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